

✓ Terry A. Gallagher
280 Hansen Lane
Gardnerville, NV 89410

49416 R02

OFFICE OF THE STATE ENGINEER

APN#: 1319-34-002-019

REGARDING PERMIT NUMBER: 49416

**AFFIDAVIT OF WITHDRAWAL OF WATER RIGHT IN FAVOR OF
USE OF WATER FOR DOMESTIC WELLS CREATED
BY SUBDIVISION OR PARCELING OF LAND**

State of Nevada)

: SS

County of Douglas)

I, Terry A. Gallagher, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. Terry A. Gallagher is the owner-of-record of Permit No. 49416 as indicated in the records of the Nevada State Engineer.

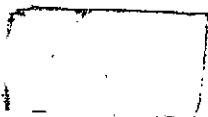
2. I, Terry A. Gallagher, do hereby withdraw an amount of water equivalent to: 2.02 acre feet seasonally from the water appropriated under Permit 49416. The water right or portion of water right withdrawn was appurtenant to the land more particularly described as follows: SE1/4SW1/4 of Section 12; SE1/4NW1/4, portion NE1/4NW1/4 Section 13; NE1/4NE1/4, SW1/4NE1/4, SE1/4NW1/4, SE1/4SE1/4, W1/2W1/2 Section 14; NW1/4, NE1/4NE1/4, S1/2NE1/4, SE1/4, portion E1/2SW1/4 Section 23; NW1/4 Section 24; SW1/4NE1/4, NW1/4SE1/4, NW1/4SW1/4, portion NE1/4NW1/4, portion SW1/4NW1/4, portion SE1/4NW1/4 Section 26; all in T.13N., R.20E., M.D.B.&M.

3. This withdrawal of the water right or portion of the water right is for the purpose of having sufficient water available to supply the domestic well of a home located at the place described below: within portions of the South 1/2 of Section 34, T.13N., R.19E., M.D.M. within Douglas County, Nevada.

4. I understand that this withdrawal of a portion of Permit 49416 must be approved by the Nevada State Engineer in order for this withdrawal to become effective and enforceable.

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5. I understand this withdrawal shall become effective upon the date approved by the State Engineer. However, if a final subdivision or parcel map is not recorded in the office of the county recorder of the county wherein the land division is located within 18 months after the State Engineer's approval the base right holder may petition the State Engineer to void this withdrawal on the basis that all proceedings concerning the division of land have been terminated.

6. I understand once this water right or portion thereof is withdrawn based on the recordation of a final subdivision map recorded in the office of the county recorder of the county wherein the land division is located, as provided in NRS 278.380 (1993). Or in the case of a final parcel map as provided in NRS 273.4725 (1993), the process cannot be reversed nor can I claim the water withdrawn as a water right.

7. Upon approval of this withdrawal by the State Engineer, I shall record this Affidavit of Withdrawal in the office of the county recorder of the county in which the final subdivision or parcel map is recorded. I shall also record this Affidavit of Withdrawal in the office of the county in which the old place of use was located, if it is not the same county.

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8. I shall provide the State Engineer with a certified copy of the recorded Affidavit of Withdrawal within thirty (30) days of recording the Affidavit with the county recorder.

DATED: This 19 day of February, 2003.

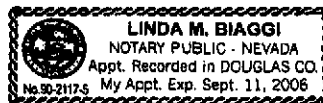
Terry A. Gallagher
Terry A. Gallagher

By: Terry A. Gallagher
Address for giving notices:
280 Hansen Lane
Gardnerville, Nevada 89410

County of Douglas)
)SS
State of Nevada)

On this 19th day of February, 2003, before me a Notary Public, personally appeared Terry A. Gallagher, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the same in his authorized capacity and that by his signature on the instrument, the entity on behalf of which the person acted, executed the instrument.

Witness my hand and official seal
Notary's Signature Linda M. Biaggi



My Commission expires 09-11-06

APPROVED: This 19th day of MARCH, 2003.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
Division of Water Resources

Hugh Ricci, P.E.
Hugh Ricci, P.E.
Nevada State Engineer

SEAL

REQUESTED BY
Anderson Engineering
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2003 MAR 14 PM 4:08

WERNER CHRISTEN
RECORDER

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